



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Marc Elias, Esq.
Graham Wilson, Esq.
Perkins Coie LLP
700 13th Street, NW, Suite 600
Washington, DC 20005-3960

MAR 20 2018

RE: MUR 7131
Democratic Congressional
Campaign Committee and
Kelly Ward in her official
capacity as treasurer

Dear Mr. Elias and Mr. Wilson:

On September 1, 2016, the Federal Election Commission notified your clients, the Democratic Congressional Campaign Committee and Kelly Ward in her official capacity as treasurer ("DCCC"), of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). On October 20, 2016, the Commission notified your clients of a supplemental complaint in this matter. Copies of the complaint and supplemental complaint were provided to your clients at that time. On March 6, 2018, the Commission found, on the basis of the information in the complaint and the supplemental complaint, and information provided by the DCCC, that there is no reason to believe that the DCCC violated the Act. Accordingly, the Commission closed its file in this matter.

Documents related to this case will be placed on the public record within 30 days. See Disclosure of Certain Documents in Enforcement and Other Matters. 81 Fed. Reg. 50,702 (August 2, 2016). The Factual and Legal Analysis, which explains the Commission's finding, is enclosed for your information.

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If you have any questions, please contact Delbert K. Rigsby, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,



Mark Allen
Assistant General Counsel

Enclosure
Factual and Legal Analysis

ENCLOSURE

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Democratic Congressional Campaign Committee
and Kelly Ward in her official capacity as treasurer

MUR 7131

I. INTRODUCTION

The Complainant in this matter alleges that the Democratic Congressional Campaign Committee ("DCCC") coordinated on expenditures in Representative Carol Shea-Porter's district. Shea-Porter was a candidate for reelection in the First Congressional District of New Hampshire in 2014, and Carol Shea-Porter for Congress is her principal campaign committee. The DCCC denies this allegation. For the reasons below, the Commission finds that there is no reason to believe that the DCCC violated the Federal Election Campaign Act of 1971, as amended (the "Act").

II. FACTUAL AND LEGAL ANALYSIS

Senior Votes Count ("SVC") is a non-connected committee that disclosed the receipt of a \$3,110 contribution from Susan Mayer on October 29, 2014, which was transmitted to SVC through ActBlue.¹ Also on October 29, SVC paid \$3,000 for two radio advertisements on behalf of Shea-Porter, according to an untimely 24-Hour Report of independent expenditures SVC filed on December 2, 2014.

¹ SVC 2014 Post-General Election Report at 6 (Dec. 4, 2014). ActBlue is a non-connected committee that acts as an intermediary for individual contributions made on its website to Democratic candidates and to political committees.

Under the Act, an expenditure made by any person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, his or her authorized political committees, or their agents, is considered a contribution to such candidate.²

Complainant, relying on an entry on the DCCC's disclosure report, alleges that it coordinated with SVC on the radio ads described above.³ The DCCC asserts that its \$355 expenditure on October 30, 2014, was for shipping costs for its own advertisement, not SVC's radio ads.⁴ The Commission has no information to the contrary. Based upon the DCCC's explanation, it does not appear to have coordinated its expenditure with SVC.

Therefore, in this matter, the Commission finds that there is no reason to believe that the Democratic Congressional Campaign Committee violated the Act.

² 52 U.S.C. § 30116(a)(7)(B)(i); 11 C.F.R. § 109.20(a).

³ Compl. at 25, 28.

⁴ DCCC Resp. at 1 and attached invoice.